

**PROPOSED REGULATION OF THE
STATE ENVIRONMENTAL COMMISSION**

LCB File No. R100-10

July 19, 2010

EXPLANATION – Matter in *italics* is new; matter in brackets ~~[omitted material]~~ is material to be omitted.

AUTHORITY: §1, NRS 459.485.

A REGULATION relating to hazardous waste; adopting by reference certain provisions of the Code of Federal Regulations; and providing other matters properly relating thereto.

Section 1. NAC 444.8632 is hereby amended to read as follows:

444.8632 1. In addition to the requirements of NAC 444.850 to 444.8746, inclusive, a person who generates, transports, treats, stores, disposes or otherwise manages hazardous waste or used oil shall comply with all applicable requirements of, and may rely upon applicable exclusions or exemptions under ~~[]~~:

(a) 40 C.F.R. Part 2, Subpart A, Part 124, Subparts A and B, ~~[Parts]~~ *Part 260 , Part 261, Part 262, Subparts A to J, inclusive, Parts 263* to 270, inclusive, Part 273 and Part 279, as those provisions existed on July 1, 2008, which, except as otherwise modified by NAC 444.86325, 444.8633 and 444.8634, are hereby adopted by reference.

~~[]~~ The Commission may use federal statutes and regulations that are cited in 40 C.F.R. Part 2, Subpart A, Part 124, Subparts A and B, ~~[Parts]~~ *Part 260 , Part 261, Part 262, Subparts A to J, inclusive, Parts 263* to 270, inclusive, Part 273 and Part 279 to interpret those sections ~~[and parts.]~~, *parts and subparts.*

(b) 40 C.F.R. Part 262, Subpart K, as those provisions existed on July 1, 2009, which are hereby adopted by reference except that “appropriate EPA Regional Administrator” is deleted in 40 C.F.R. § 262.203(a) and § 262.204(a) and “Director” is inserted in its place. The Commission may use federal statutes and regulations that are cited in 40 C.F.R. Part 262, Subpart K, to interpret that subpart.

2. The volumes containing ~~those~~ *the* parts *described in subsection 1* may be obtained by mail from the Superintendent of Documents, U.S. Government Printing Office, P.O. Box 979050, St. Louis, Missouri 63197-9000, or by toll-free telephone at (866) 512-1800, for the following prices:

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| (a) Volume 40 C.F.R. Parts 1 to 49, inclusive | [\$60] \$66 |
| (b) Volume 40 C.F.R. Parts 100 to 135, inclusive | [48] 51 |
| (c) Volume 40 C.F.R. Parts 260 to 265, inclusive | [53] 56 |
| (d) Volume 40 C.F.R. Parts 266 to 299, inclusive | [50] 56 |